

MEMO ENDORSED



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February 10, 2025

VIA ECF

Hon. Valerie E. Caproni
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *V.C. et al. v. N.Y.C. Dep't of Educ.*, 24-cv-8981(VEC)(RFT)

Dear Caproni:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Muriel Goode-Trufant, attorney for Defendants in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

On behalf of all parties, Defendants respectfully submits this joint letter in accordance with Judge Caproni's December 2, 2024 Order (ECF 5) to provide the following information. Again the Parties apologize to the Court for missing the Feb. 7, 2025 filing date.

Since this is a fees-only case and liability appears not to be at issue, there is no need for discovery or an initial conference at this time. The undersigned respectfully requests that the Court adjourn the Initial Pretrial Conference scheduled for Feb. 28, 2025, and attendant submission of the Case Management Plan and proposed Scheduling Order, *sine die*. Plaintiff consents to this request.

This is the first request for the adjournment of the Initial Pretrial Conference, The requested adjournment with allow time for the parties to continue good-faith settlement discussions and hopefully reach an agreement. Indeed, this office has many matters of similar IDEA fees-only cases brought by plaintiffs represented by the Ratcliff firm in recent years without the need to burden the court with any motion practice or conferences.

Accordingly, Defendants respectfully request that the Court adjourn the Initial Pretrial Conference, and attendant Case Management Plan and proposed Scheduling Order, *sine die*. Also, the parties respectfully propose the submission of a joint status letter on or before when the

Defendants' answer comes due on March 30, 2025 regarding the status of settlement and to advise the Court on whether a settlement conference would be helpful to facilitate settlement.

Thank you for considering this submission.

Respectfully submitted,
/s/ Joseph V. Martino
Joseph V. Martino, Esq.
Special Assistant Corporation Counsel

cc: Jennifer Ratcliff (via ECF)

Application GRANTED. The initial pretrial conference and the deadlines to submit a pre-conference joint letter and proposed case management plan are ADJOURNED *sine die*.

Not later than **Monday, March 31, 2025**, the parties must file a joint letter apprising the Court of the status of settlement discussions. If a settlement has not been reached by such time, the parties must propose a briefing schedule for summary judgment motions.

The parties are reminded that they may request a settlement conference with their assigned Magistrate Judge at any time by filing a joint letter with the Court.

SO ORDERED.

 2/11/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE